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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/784,497	02/15/2001	Sidney Llewellyn Bryson	BRYSON	3306
7590	08/16/2004		1-5-2-10-2-1-6-4-9	
Walter W. Duft Law Office of Walter W. Duft 10255 Main Street Suite 10 Clarence, NY 14031			EXAMINER KHUONG, LEE T	
			ART UNIT	PAPER NUMBER
			2665	
DATE MAILED: 08/16/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/784,497

Applicant(s)

BRYSON ET AL.

Examiner

Lee Khuong

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 February 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-60 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6, 10-14, 18-26, 30-34, 38-46, 50-54 and 58-60 is/are rejected.
- 7) ☒ Claim(s) 7-9, 15-17, 27-29, 35-37, 47-49, 55-57 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-5, 10-14, 18-20, 21-25, 30-34, 38-40, 41-45, 50-54, 58-60 are rejected under 35 U.S.C. 102(e) as being anticipated by Arango (6,724,747) et al, hereafter referred as Arango.

Regarding claims 1, 21, 41,

3. Arango teaches a method, a system and a program product for managing an IP bearer path between IP endpoints, comprising a PAG (see figure 1, part 160) and the steps of:

terminating a first IP bearer connection with a first IP endpoint (see figure 3, col. 5, lines 1 – 11, col. 9, lines 61 – 67, col. 10, lines 1 - 9);

terminating a second bearer connection with a second IP endpoint (see figure 3, col. 5, lines 1 – 11, col. 9, lines 61 – 67, col. 10, lines 1 - 9);

logically concatenating said connections into an active IP bearer path extending between said first IP endpoint and said second IP endpoint (see figure 4, figure 14, col. 10 – lines 31); and

moving bearer traffic IP packet payloads over said active IP bearer path, said packet payloads comprising voice, data, multimedia or other information (see figure 1, col. 3, lines 27 – 31, lines 42 – 51).

Regarding claims 2, 22, 42,

4. Arango teaches a method, a system and a program product in accordance with Claim 1, 21, 41 wherein said concatenating step comprises establishing a key entry in a bearer connection address table that associates said active IP bearer path with said first bearer connection and said second bearer connection (see col. 3, lines 52 – 67, col. 4, lines 1 – 17).

Regarding claims 3, 23, 43,

5. Arango teaches a method, a system and a program product in accordance with Claim 2, 22, 42 wherein said key entry corresponds to said active IP bearer path (IP bearer path entry) and comprises first and second tuples respectively corresponding to said first bearer connection and said second bearer connection (see col. 7, lines 31 – 51).

Regarding claims 4, 24, 44,

6. Arango teaches a method, a system and a program product in accordance with Claim 3, 23, 43 wherein said first tuple includes a first IP address and a port number for said IP PAG and an IP address and a port number for said first IP endpoint, and said second tuple includes a second IP address and a port number for said IP PAG and an IP

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address and a port number for said second IP endpoint (see figure 12, col. 9, lines 34 – 60).

Regarding claims 5, 25, 45,

7. Arango teaches a method, a system and a program product in accordance with Claim 4, 24, 44 wherein said moving step includes moving bearer traffic IP packet payloads from said first IP endpoint to said second IP endpoint by:

receiving a bearer traffic IP packet from said first IP endpoint over said first bearer connection (see col. 9, lines 34 – 38);

searching for an IP bearer path entry in said connection address table having an associated first tuple that contains the packet header source IP address and source port number of said received IP packet (see col. 9, lines 38 – 40);

upon locating said IP bearer path entry in said connection address table, determining from the second tuple associated with said entry the IP address and port number of said second IP endpoint (see col. 9, lines 38 – 40);

rewriting the packet header of said bearer traffic IP packet using an IP address and a port number associated with said active bearer path as the source IP address and source port number, and using the IP address and port number of said second IP endpoint as the destination IP address and destination port number (see col. 9, lines 40 - 45 ; and

sending said rewritten bearer traffic IP packet to said second IP endpoint over said second bearer connection (see col. 9, lines 45 – 60).

Regarding claims 10, 30, 50,

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8. Arango teaches a method, a system and a program product in accordance with Claim 1, 21, 41 further including relaying signaling messages from one or both of said IP endpoints to a destination (see col. 9, lines 34 – 60).

Regarding claims 11, 31, 51,

9. Arango teaches a method, a system and a program product in accordance with Claim 10, 30, 50 wherein said signaling message relaying step includes maintaining an IP endpoint address table that lists IP addresses for IP endpoints that are authorized to send signaling messages to said destination, and which lists IP PAG port numbers, one for each authorized IP endpoint (see col. 9, lines 34 – 60).

Regarding claims 12, 32, 52,

10. Arango teaches a method, a system and a program product in accordance with Claim 11, 31, 51 wherein said signaling message relay step includes receiving a signaling traffic IP packet from said first IP endpoint and rewriting the packet header of said signaling packet by: setting the source IP address to IP address of said IP PAG relaying said signaling messages (see col. 9, lines 34 – 43); setting the source port number to said IP port assigned to said first IP endpoint, as determined from said IP endpoint address table (see col. 9, lines 41 – 43); setting the destination IP address to an IP address of said destination, as determined by said source IP address and the destination port number of said signaling message received (see col. 9, lines 45 – 48); and leaving the destination IP port unchanged (see col. 9, lines 49 – 60).

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Regarding claims 13, 33, 53,

11. Arango teaches a method, a system and a program product in accordance with Claim 12, 32, 52 wherein said signaling message is an H.323, SIP, H.248, or other call signaling message and said destination is a call control entity (see figure 1, col. 3, lines 63 – 67, col. 4, lines 1 – 17).

Regarding claims 14, 34, 54,

12. Arango teaches a method, a system and a program product in accordance with Claim 12, 32, 52 wherein said signaling message is an SNMP signaling message and said destination is an SNMP manager (see col. 12, lines 22 – 33).

Regarding claims 18, 38, 58,

13. Arango teaches a method, a system and a program product in accordance with Claim 1, 21, 41 including terminating plural IP lines at a set of line-side terminating points and terminating plural IP trunks at a set of trunk-side terminating points (see figure 1, col. 4, lines 18 – 30).

Regarding claims 19, 39, 59,

14. Arango teaches a method, a system and a program product in accordance with Claim 18, 38, 58 further including performing switching between said line-side and trunk-side terminating points (see figure 1, col. 4, lines 18 – 30).

Regarding claims 20, 40, 60,

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15. Arango teaches a method, a system and a program product in accordance with Claim 19, 39, 59 further including connecting one of more of said line-side or trunk side terminating points to one or more resource servers, interworking gateways, interworking units, or data termination systems (see figure 1, col. 4, lines 18 – 39).

Claim Rejections - 35 USC § 103

16. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

17. Claim 6, 26, 46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Arango.

Regarding claims 6, 26, 46,

18. Arango does not explicitly teaches a method, a system and a program product in accordance with Claim 5, 25, 45 further including performing bearer traffic policing to verify that said received bearer traffic IP packet is associated with an active IP bearer path and is authorized for transmission on that path. However, it is obvious in VoIP telephone system that the set-up connection call will determine if the traffic path is cleared or not busy prior to making its connection in order to avoid conflicting connections.

Allowable Subject Matter

19. Claims 7-9, 15-17, 27-29, 35-37, 47-49, 55-57 are objected to as being dependent upon rejected base claims, but would be allowable if rewritten in independent form including all of the limitations of the base claims and any intervening claims.

20. Claims 7-9, 27-29, 47-49 are allowable. The prior arts do not teach IP bearer path entry that includes a status flag indicating the path entry is active or inactive, a policy that includes logging and/or dropping unauthorized packets and a connection address table contains multiple IP bearer path entries having an associated tuples identifying said first IP endpoint, and wherein said IP PAG is controllable by said call control entity to act as a IP bearer path pivot point by selectively activating the status flags associated with said IP bearer path entries.

21. Claims 15-17, 55-57, 35-37 are allowable. The prior arts do not teach a signaling traffic IP packet handler is adapted to perform signaling traffic policing to verify that said IP endpoint sending said signaling messages is authorized to send such messages; said signaling traffic policing includes performing a table lookup in said IP endpoint address table relative to an P signaling packet received from said first IP endpoint to verify that said IP endpoint is listed in said table and to obtain a port number assigned to said IP endpoint from said table; and said call control entity is adapted to dynamically throttle signaling messages sent to said destination.

Conclusion

22. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Munoz (6,741,585) et al, discloses a system and method for internetworking of addressing in an internetwork.

Tuomi (2002/0110112) discloses a system and method for managing a network to sustain the quality of voice over internet protocol communications.

Thornton (6,363,065) discloses a system and method for VoIP gateways.


23. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lee Khuong whose telephone number is 571-272-3157.

The examiner can normally be reached on 9AM - 5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Huy Vu can be reached on 703-308-6602. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

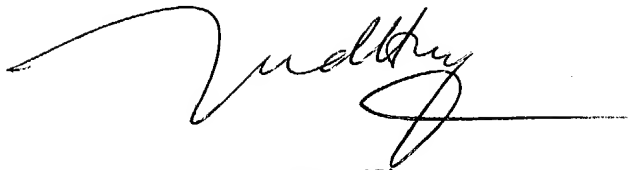
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Lee T. Khuong

Examiner

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